

August 15, 2014

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
August 15, 2014

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 607 EAST ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS
  
- II. PRESENT
  
- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JULY 18, 2014  
  
**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JULY 18, 2014?**
  
- IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT  
  
**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Central Management Services**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	140.....	18
Agriculture .....	336.....	20
Arts Council .....	15.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,430.....	115
Children and Family Services .....	2,622.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	361.....	68
Commerce Commission .....	72.....	0
Corrections.....	10,890.....	99
Criminal Justice Authority .....	55.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	81.....	5
Employment Security.....	1,301.....	30
Environmental Protection Agency.....	800.....	17
Financial & Professional Regulation.....	434.....	45
Gaming Board .....	157.....	6
Guardianship and Advocacy .....	102.....	7
Healthcare and Family Services .....	2,099.....	26
Historic Preservation Agency.....	166.....	16
Human Rights Commission.....	15.....	2
Human Rights Department.....	145.....	9
Human Services .....	11,868.....	74
Illinois Torture Inquiry Relief Commission .....	3.....	1
Independent Tax Tribunal .....	1.....	0
Insurance .....	233.....	16
Investment Board .....	4.....	2
Juvenile Justice.....	1,006.....	23
Labor.....	90.....	11
Labor Relations Board Educational.....	12.....	2
Labor Relations Board State.....	21.....	2
Law Enforcement Training & Standards Bd. ....	17.....	2
Lottery.....	135.....	6
Military Affairs .....	119.....	3
Natural Resources .....	1,242.....	30
Pollution Control Board .....	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	32.....	1
Public Health.....	1,144.....	43
Racing Board.....	2.....	1
Revenue.....	1,767.....	54
State Fire Marshal .....	130.....	12
State Police.....	1,114.....	6
State Police Merit Board .....	5.....	2
State Retirement Systems.....	102.....	2
Transportation .....	2,163.....	0
Veterans' Affairs .....	1,329.....	9
Workers' Compensation Commission.....	134.....	11
<b>TOTALS .....</b>	<b>44,000.....</b>	<b>858</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

\* \* \*

**C1. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption (continued from July 18, 2014)**

Position Number	40070-42-00-010-05-01
Position Title	Senior Public Service Administrator
Bureau/Division	Marketing
Functional Title	Assistant Deputy Director
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

**C2. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption (continued from July 18, 2014)**

Position Number	37015-42-00-000-03-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Deputy Chief of Staff
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**C5. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption (continued from July 18, 2014)**

Position Number	40070-42-40-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Employment and Training
Functional Title	Illinois Works Manager
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “These positions do meet the reporting criteria of the commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

**D. Illinois Guardianship & Advocacy Commission – proposed exemption**

Position Number	37015-50-70-020-00-02
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Director-Community Human Rights Relationships & Resources
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the commission Rules and considering the similarities of these requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E1. Illinois Department of Revenue – proposed exemption**

Position Number	40070-25-48-200-00-01 <sup>A</sup>
Position Title	Senior Public Service Administrator
Bureau/Division	Collections/Collection Enforcement
Functional Title	Springfield Collection Enforcement Director
Incumbent	Steven D. Hayes
Supervisor	Collections Program Director who reports to the Director
Location	Sangamon County

**E2. Illinois Department of Revenue – proposed exemption**

Position Number	40070-25-48-500-00-01 <sup>B</sup>
Position Title	Senior Public Service Administrator
Bureau/Division	Collections/Field Compliance
Functional Title	Field Compliance Director
Incumbent	Vincent Cacioppo
Supervisor	Collections Program Director who reports to the Director
Location	Williamson County

**CMS Recommendation:** “These positions do meet the reporting criteria of the commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend to continue the 4d(3) exemption.”

---

<sup>A</sup> Exemption was granted on June 21, 2013 for one year.

<sup>B</sup> Exemption was granted on June 21, 2013 for one year.

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

**C1: Assistant Deputy Director (Commerce & Economic Opportunity)**

**C2: Deputy Chief of Staff (Commerce & Economic Opportunity)**

**C5: Illinois Works Manager (Commerce & Economic Opportunity)**

**D: Director, Community Human Rights Relationships & Resources  
(Guardianship and Advocacy Commission)**

**E1: Springfield Collection Enforcement Director (Revenue)**

**E2: Field Compliance Director (Revenue)**

**VI. CLASS SPECIFICATIONS**

**A. Governing Rule – Section 1.45 Classification Plan**

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for creation and revision by the Director of the Illinois Department of Central Management Services (CMS):

**B. Paralegal Assistant (revise)**  
**Corrections Law Library Assistant (create)**

**CMS Classification Analysis:** “A review of the official job descriptions of the Paralegal Assistant positions revealed that those positions located in the Department of Corrections educational school district and in the Correctional facilities perform different functions from those of the Paralegal Assistant positions in the Corrections Central Office and in other Agencies. Such school district and facility jobs do not report directly to a licensed attorney, and they exist in prison libraries to meet the mandates of the United States Constitution as interpreted by the Supreme Court in Bounds v. Smith, 430 U.S. 817 (1977) and Lewis v. Casey, 516 U.S. 804 (1996) and subsequent court decisions that require prison officials to provide incarcerated persons with access to the Courts. In order to appropriately address this unique work role, a new discrete class, the Corrections Law Library Assistant, has been created.

These positions assist prison library users in making effective use of the law library by providing formal instructional sessions or workshops as required, explaining court procedures and filing requirements, conducting legal research and assisting library users in drafting legal documents. The qualifications necessary to adequately perform such work fits with the qualifications held by Paralegal Assistants, but the nature of the work is different from that set out in the Paralegal Assistant class. To accommodate such distinctions, positions performing such school district and Correctional facility duties will be reclassified to the new Corrections Law Library Assistant.”

**C. Food Services Program Manager (revise)**

**CMS Classification Analysis:** “The Department of Central Management Services (CMS), Division of Technical Services, has identified an issue with regards to the language that was used for the certification requirement under the ‘Desirable Requirements’ portion of the Class Specification for this title. As a result, CMS Division of Technical Services has clarified this language to better describe the minimum certification requirements that a candidate must meet to be eligible for this title. This clarification has not resulted in a change to these requirements, but only a clarification of the current minimum requirements that an incumbent would need to meet for this title.

The Class Specification for this title currently states that ‘Illinois licensure as a Registered Dietician’ is needed, which would not be considered a minimum requirement. This has been corrected to state that ‘Certification as a Registered Dietitian with the Academy of Nutrition and Dietetics, Commission on Dietetic Registration’ is needed, which would identify a minimum requirement needed for this title.”

**D. Human Services Caseworker (revise)**

**CMS Classification Analysis:** “The Human Services Caseworker class specification was last updated June 1, 2006.

The Department on Aging requested we modify the Human Services Caseworker title to be used for the administration of the Benefit Access Program. The requirements section of the Human Services Caseworker has been modified to reflect the addition of the name of the program the department will be administering. The Department on Aging has been added with the Department of Human Services and the Department of Healthcare and Family Services to the Desirable Requirements in the Knowledges, Skills and Abilities section.”

**E. Metrologist Associate (revise)**

**CMS Classification Analysis:** “The Metrologist Associate class assists the PSA option 8Z position (Metrologist) in maintaining the accuracy and protection of State of Illinois standards and measuring instruments for weights and measures.

The current educational and experience requirements for the class include: the equivalent of 2 years of college with physical sciences, mathematics, physics or engineering coursework, one year of experience in weights and measures or related laboratory work and completion of a basic training seminar. Department of Agriculture staff cited an inability to hire applicants for this class due to the 1 year of experience; they also offered updates to portions of the class specification which are out-of-state or no longer performed. In keeping with their suggestions, we have made minor changes to the Distinguishing Features and Illustrative Examples, modified the requirements to delete the one year of experience and clarified the National Institute of Standards and Technology seminars required to be completed during the first year of employment.”

**F. Clinical Psychologist (revise)**  
**Psychologist III (revise)**

**CMS Classification Analysis:** “This study originated as the result of a change to the Mental Health and Developmental Disabilities Code (MHDDC) concerning the definition of a clinical psychologist, effective July 15, 2013.

**(405 ILCS 5/) Mental Health and Developmental Disabilities Code.**

(405 ILCS 5/1-103) (from Ch. 91 1/2, par. 1-103) Sec. 1-103. ‘Clinical psychologist’ means a person licensed by the Department of Financial and Professional Regulation under the Clinical Psychologist Licensing Act.

(Source: P.A. 98-75, eff. 7-15-13.)

The Department of Human Services (DHS) expressed concern at the deletion of language allowing persons with graduate degrees and appropriate experience to be licensed (previously, 'registered') clinical psychologists under the Clinical Psychologist Licensing Act (CPLA), which now states that a doctoral-level degree is required for licensure.

Current state employees working in that capacity without a doctoral degree are 'grandfathered', and continue to perform their assigned duties.

However, changes to the Clinical Psychologist and Psychologist III class specifications are necessary in order to reflect the credential language change from 'registration as a psychologist...' to 'licensure as a Clinical Psychologist...', and the name change of the agency issuing the licenses from The Illinois Department of Professional Regulation to The Illinois Department of Financial and Professional Regulation."

**G. Public Service Supervisor (create)**  
**Public Service Executive (create)**

**CMS Classification Analysis:** "The Public Service Administrator (PSA) class encompasses policy implementing positions which may, or may not, serve as supervisors. With the passage of the Management Bill (P.A. 097-1172 or SB 1556), approximately 1,500 PSA positions were removed from collective bargaining representation. Some of the positions which were removed under the Management Bill were classified as PSA's, primarily based upon supervisory responsibilities. These supervisory duties appear to reside at two levels:

- a) Those positions which serve as policy implementing managers and supervise either one or more working supervisors or one or more professional positions in classes requiring certification, licensure or registration, and
- b) Those positions which serve as policy implementing supervisors of lower level staff, excluding the staff supervised in a) above.

To properly reflect the emphasis on supervisory responsibilities inherent in these positions and to distinguish positions which were included in the PSA primarily upon supervisory responsibilities, it was determined that the positions should be separated from the extant Public Service Administrator class with its broad pay range and be placed into supervisory classes with more discrete pay ranges.

Therefore, we recommend establishment of two new classes to reflect the work described in a) and b) above: The Public Service Executive class specification has been drafted to reflect supervisory positions found in a) above and the Public Service Supervisor class specification pertains to the supervisory positions in b)."

**H. Social Services Career Trainee (revise)**

**CMS Classification Analysis:** “A review of the Classification Plan by the CMS Division of Technical Services has initiated this study based upon a potential for misinterpretation of current language in the class specification of the Social Services Career Trainee, or ‘SSCT.’

The goal of this proposal is to clarify within the class specification of the SSCT that only the targeted title of Rehabilitation Counselor requires a trainee program length of up to 48 months, whereas the SSCT program lengths attached to all other target titles are limited to a maximum of 12 months.

The difference in the SSCT-to-Rehabilitation-Counselor training program exists because the education and experience minimum requirements of the Rehabilitation Counselor are a Master’s degree and one year of professional experience. The 48 months allows the successful candidate (who in this case has only a Bachelor’s degree and no experience) to obtain these minimum qualifications.

The language modifications included in the attached draft specification are intended to assist state agency classification staff in properly allocating positions and preparing accurate job descriptions.”

**I. Veterans Service Officer (revise)**

**CMS Classification Analysis:** “The Department of Veterans’ Affairs has requested a revision to the class specification for the Veterans Service Officer to better reflect accreditation standards for individuals engaged in assisting in the preparation, presentation, and prosecution of a claim for VA benefits. The proposed language is added to the Education and Experience requirements section of the class specification of the Veterans Service Officer. Employees must obtain U.S. Department of Veterans Affairs Accreditation within their probationary period. Failure to achieve accreditation will result in termination of employment. This accreditation is achieved by completion of State of Illinois, Department of Veterans’ Affairs self paced training and certification testing with a minimum score of 70%. Additionally, current employees must requalify for accreditation every 5 years while fulfilling the duties of a Veterans Service Officer; failure to maintain such accreditation will be grounds to commence progressive discipline.”

**WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE SEPTEMBER 1, 2014?**

**B. Paralegal Assistant (revise)**

**Corrections Law Library Assistant (create)**

**C. Food Services Program Manager (revise)**

**D. Human Services Caseworker (revise)**

August 15, 2014

- E. Metrologist Associate (revise)**
- F. Clinical Psychologist (revise)  
Psychologist III (revise)**
- G. Public Service Supervisor (create)  
Public Service Executive (create)**
- G. Social Services Career Trainee (revise)**
- H. Veterans Service Officer (revise)**

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

**VII. MOTION TO CLOSE A PORTION OF THE MEETING**

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	<b>6/30/14</b>	<b>7/31/14</b>	<b>7/31/13</b>
Aging	2	<b>0</b>	1
Agriculture	0	<b>0</b>	2
Arts Council	0	<b>0</b>	1
Central Management Services	6	<b>3</b>	2
Children and Family Services	6	<b>3</b>	10
Corrections	1	<b>1</b>	0
Criminal Justice Authority	1	<b>1</b>	0
Healthcare and Family Services	10	<b>8</b>	21
Historic Preservation Agency	5	<b>5</b>	0
Human Rights Department	1	<b>1</b>	0
Human Services	4	<b>2</b>	1
Insurance	1	<b>1</b>	1
Juvenile Justice	1	<b>1</b>	0
Natural Resources	28	<b>28</b>	0
Property Tax Appeal Board	0	<b>0</b>	3
Public Health	0	<b>0</b>	2
Revenue	3	<b>3</b>	5
State Police Merit Board	0	<b>0</b>	1
State Retirement Systems	3	<b>1</b>	0
Veterans' Affairs	1	<b>0</b>	4
<b>Totals</b>	<b>73</b>	<b>58</b>	<b>54</b>

August 15, 2014

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-26-14**

Employee	Stefon A. Wright	Appeal Date	2/20/14
Agency	Human Services	Decision Date	7/22/14
Appeal Type	Discharge	Proposal for Decision	Uphold discharge.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**DA-39-14**

Employee	Anthony C. Mayville	Appeal Date	4/15/14
Agency	Natural Resources	Decision Date	7/31/14
Appeal Type	Discharge	Proposal for Decision	60-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-43-14**

Employee	Stephen G. King	Appeal Date	5/12/14
Agency	Corrections	Decision Date	8/04/14
Type	Discharge	Proposal for Decision	Dismissed; settled.

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held at 11:00 a.m. on Friday, September 19, 2014 at the Commission's Chicago office.**

XIV. MOTION TO ADJOURN